

JURISDICTION AND VENUE

6. This Court has jurisdiction under 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331. Venue is proper in this district because Plaintiff is a resident of, and domiciled in, Ottawa County, Michigan.

FACTUAL BACKGROUND

7. Plaintiff has submitted to the Defendants a number of FOIA requests concerning emails between specified parties and other documents regarding specified matters. Defendants have failed to produce documents in response to Plaintiff's requests. Defendants' actions left Plaintiff no choice but to file this lawsuit.

NARA 22-35347-F

8. On April 18, 2022, Plaintiff made the following FOIA request to NARA: "I request any emails, letters, reports, or memorandums sent to President Obama, his Chief of Staff, or Susan Rice from Mikey Dickerson or Matt Weaver." The data range for the requested records was from March 1, 2016, through January 20, 2017.

9. On April 26 2022, NARA acknowledged receipt of the request, and assigned reference number 22-35347-F to the matter. NARA's initial response acknowledged the existence of 80 potentially responsive records.

10. As of November 20, 2023, no records have been provided by NARA related to this request.

NARA 22-37693-F

11. On April 28, 2022, Plaintiff made the following FOIA request to NARA: "I request any reports, memorandums, notes or emails concerning meetings that occurred between August 1, 2016 through August 5, 2016 relating to Russian interference in the 2016 election or regarding the Crossfire Hurricane investigation." The data range for the requested records was from August 1, 2016, through August 5, 2016.

12. On May 16, 2022, NARA acknowledged receipt of the request, and assigned reference number 22-37693-F to the matter. NARA's initial response acknowledged the existence of 1098 potentially responsive records.

13. As of November 20, 2023, no records have been provided by NARA related to this request.

NARA 22-29596-F

14. On March 20, 2022, Plaintiff made the following FOIA request to NARA: “I request any reports, memorandums, emails, or logs associated with any contacts between Rodney Joffe and President Obama.”

15. On March 24, 2022, NARA acknowledged receipt of the request, and assigned reference number 22-29596-F to the matter. NARA’s initial response acknowledged the existence of 255 pages and 61 electronic files as potentially responsive records.

16. On April 18, 2022 Plaintiff requested an estimate for completion.

17. On April 20, 2022, NARA estimated 8 months for completion.

18. On June 1, 2022, NARA provided notification of a status change notifying Plaintiff of an increase in potentially responsive files and notification the request had been moved from the In-And-Out queue to the Simple Unclassified Electronic Queue. NARA indicated the existence of 255 pages and 225 electronic files as potentially responsive records.

19. On August 7, 2022 Plaintiff requested an estimate for completion.

20. On August 8, 2022, NARA estimated 61 months for completion.

21. As of November 20, 2023, no records have been provided by NARA related to this request.

NARA 22-31145-F

22. On March 26, 2022, Plaintiff made the following FOIA request to NARA: “I request all emails, letters, reports, or logs related to Susan Landau sent to President Obama or his Chief of Staff. The data range for the requested records was from April 1, 2016 through April 1, 2019. This was later adjusted to the end of the Obama presidency on January 20, 2017.

23. On March 29, 2022, NARA acknowledged receipt of the request, and assigned reference number 22-31145-F to the matter. NARA’s initial response acknowledged the existence of 5 pages and 175 electronic files as potentially responsive records.

24. As of November 20, 2023, no records have been provided by NARA related to this request.

NARA 22-31146-F

25. On March 26, 2022, Plaintiff made the following FOIA request to NARA: “I request all emails, reports, or memorandums associated with the Secretary of Defense referencing: Enhanced Attribution, Rhamnousia, Georgia Tech.” The data range for the requested records was from April 1, 2016, through January 20, 2017.

26. On March 31, 2022, NARA acknowledged receipt of the request, and assigned reference number 22-31146-F to the matter. NARA’s initial response acknowledged the existence of 974 electronic files as potentially responsive records.

27. On January 23, NARA provided an updated response acknowledging the existence of 170 classified electronic files as potentially responsive records.

28. As of November 20, 2023, no records have been provided by NARA related to this request.

NARA 22-35344-F

29. On April 14, 2022, Plaintiff made the following FOIA request to NARA: “I request any emails sent to or from Strobe Talbott that were sent to or from President Obama, his Chief of Staff, or Susan Rice.” The data range for the requested records was from March 1, 2016, through January 20, 2017.

30. On April 26, 2022, NARA acknowledged receipt of the request, and assigned reference number 22-35344-F to the matter. NARA’s initial response acknowledged the existence of 10 electronic files as potentially responsive records.

31. As of November 20, 2023, no records have been provided by NARA related to this request.

NARA 22-62438-F

32. On September 5, 2022, Plaintiff made the following FOIA request to NARA: “I request any emails in the account of Michael Daniel sent to or from: Rodney Joffe, David Dagon, Manos Antonakakis, Angelos Keromytis, or Christopher Schneck.” The data range for the requested records was from April 1, 2016, through January 20, 2017.

33. On September 12, 2022, NARA acknowledged receipt of the request, and assigned reference number 22-62438-F to the matter.

34. On April 6, 2023, NARA acknowledged the existence of 13 classified electronic files potentially responsive to the request.

35. As of November 20, 2023, no records have been provided by NARA related to this request.

NARA 22-32386-F

36. On April 2, 2022, Plaintiff made the following FOIA request to NARA: "I request any emails or letters sent from Jake Sullivan (Clinton Campaign), Jennifer Palmieri, (Clinton Campaign), Robby Mook (Clinton Campaign) or Hillary Clinton to President Obama, his Chief of Staff or Susan Rice." The data range for the requested records was from January 1, 2016, through January 20, 2017.

37. On April 6, 2022, NARA acknowledged receipt of the request, and assigned reference number 22-32386-F to the matter. NARA's initial response acknowledged the existence of 275 pages and 97 electronic files as potentially responsive records.

38. On August 7, 2022 Plaintiff requested an estimate for completion.

39. On August 8, 2022, NARA estimated 5 months for completion.

40. On January 28, 2023 Plaintiff requested an estimate for completion.

41. On January 30, 2023, NARA estimated 4 months for completion.

42. On April 8, 2023 Plaintiff requested an estimate for completion.

43. On April 10, 2023, NARA estimated 5 months for completion.

44. On May 2, 2023 Plaintiff requested an estimate for completion.

45. On May 10, 2023, NARA estimated 5 months for completion.

46. On August 21, 2023 Plaintiff requested an estimate for completion.

47. On August 23, 2023, NARA estimated 5 months for completion.

48. As of November 20, 2023, no records have been provided by NARA related to this request.

NARA NW 67290

49. On April 2, 2022, Plaintiff made the following FOIA request to NARA: “I request any emails, letters, reports, or memorandums sent to Susan Rice from Rodney Joffe, Angelos Keromytis or Tejas Patel.” The data range for the requested records was from January 1, 2016, through January 20, 2017.

50. On April 6, 2022, NARA acknowledged receipt of the request, and assigned reference number NW 67290 to the matter.

51. On April 6, 2023, NARA acknowledged the existence of 1360 pages and 184 classified electronic files potentially responsive to the request.

52. As of November 20, 2023, no records have been provided by NARA related to this request.

DOD 23-F-1597

53. On September 23, 2023, Plaintiff made the following FOIA request to DOD: “I request a copy of the August 7, 2016 Fancy Bear/APT 28 Attribution Analysis provided by Manos Antonakakis and David Dagon referenced in the September 25, 2022 letter to Senator Grassley.”

54. On September 26, 2023, DOD acknowledged receipt of the request, and assigned reference number 23-F-1597 to the matter.

55. As of November 20, 2023, no records have been provided by DOD related to this request.

DHS 2023-HQFO-02000

56. On June 12, 2023, Plaintiff made the following FOIA request to DHS: “I request any emails in the account of Jen Easterly sent to or from: Renee DiResta, Alex Stamos, Matt Masterson, Garrett Graff, Vivian Schiller, Ryan Merkley, Christina Nemr, Clint Watts, Laura Rosenberger, David Agranovich, Chris Krebs, and Nina Jankowicz.”

57. On September 14, 2023, DHS acknowledged receipt of the request, and assigned reference number 2023-HQFO-02000 to the matter. DHS also transferred the request to their sub-agency, CISA.

58. As of November 20, 2023, no records have been provided by DHS related to this request.

DHS

59. On May 14, 2023, Plaintiff made the following FOIA request to DHS: “I request any emails in the account of Chris Krebs sent to or from: Renee DiResta, Alex Stamos, Matt Masterson, Garrett Graff, Vivian Schiller, Ryan Merkley, Christina Nemr, Clint Watts, Laura Rosenberger, David Agranovich, Nina Jankowicz, JM Berger, Sandy Luff, Guyte McCord, Ben Nimmo.” The data range for the requested records was from January 1, 2017, through November 17, 2020.

60. DHS has not provided acknowledgement of the request.

61. As of November 20, 2023, no records have been provided by DHS related to this request.

COUNT ONE

Violation of FOIA, 5 U.S.C. § 552

62. Plaintiff incorporates paragraphs 1-61 as though fully incorporated herein.

63. Defendants are agencies subject to the production requirements of FOIA.

64. Defendants have violated FOIA by failing to produce the records requested by Plaintiff.

66. Plaintiff is irreparably harmed by Defendants FOIA violations, and Plaintiff's harm will continue unless this Court orders Defendants to comply with FOIA.

REQUEST FOR RELIEF

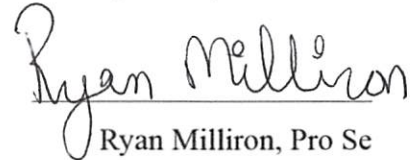
67. Plaintiff respectfully prays that this Court:

- A. Order Defendants to search for any and all records responsive to Plaintiff's FOIA requests and demonstrate that they employed search methods reasonably likely to lead to the discovery of records responsive to Plaintiff's FOIA requests;
- B. Order Defendants to produce all records responsive to Plaintiff's FOIA requests and a Vaughn index of any responsive records withheld under claim of exemption;

- C. Enjoin Defendants from withholding non-exempt records that are responsive to Plaintiff's FOIA requests;
- D. Grant Plaintiff such other relief as the Court deems just and proper.

Dated: November 20, 2023

Respectfully Submitted,

A handwritten signature in black ink that reads "Ryan Milliron". The signature is written in a cursive style with a large, looped "R" and "M".

Ryan Milliron, Pro Se

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